IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

A. O. No. 02 of 2006

1. Smt. Kasturi Devi w/o Ram Kishore Gupta
2. Pramod Kumar s/o Sri Ram Kishore Gupta
3. Kum Mamta d/o Sri Ram Kishore Gupta
(Both respondent no. 2 and 3 were minors and represented Under Guardianship of Smt. Kastur, mother, respondent no. 1)
Respondents 1 to 3 resident of Teachers Colony, Bazpur, Nainital …… Appellants

Versus

1. Naveen Kishore Sharma
s/o Pandit Gur Bachan Lal Sharma,
R/o Village Keshawala, P.S. Bazpur,
District Nainital (now Udham Singh Nagar)
2. Sohan Singh @ Bhola C/o Naveen Kishore Sharma
R/o Village Keshawala, P.S.Bazpur,
District Nainital (now Udham Singh Nagar)
3. New India Insurance Company Ltd. through its Divisional Manager, Divisional Office, Nainital, District Nainital ……. Respondents

Chaudhary Sudhir Kumar, Advocate for the appellants.
Sri B.S. Parihar, Advocate for respondent no. 1.
None for respondent no. 2.
Sri P.C. Maulekhi, Advocate for respondent no.3.

JUDGMENT

Coram: Hon'ble Rajeev Gupta, C.J.
Hon'ble Rajesh Tandon, J.

RAJEEV GUTPA, C. J.(Oral)

Chaudhary Sudhir Kumar, Advocate for the appellants.

Sri. B.S. Parihar, Advocate for respondent no.1.

None for respondent no.2.

Sri P.C. Maulekhi, Advocate for respondent no. 3.

2. Chaudhary Sudhir Kumar, the learned counsel for the appellants seeks permission to withdraw the appeal filed by the appellants/claimants for enhancement of compensation with the liberty of filing Cross Objection

for enhancement of compensation in A.O. NO. 622 of 2001 filed by respondent no. 1 Naveen Kishore Sharma (owner of the offending vehicle) and to seek condonation of delay in filing the Cross Objection.

3. Permission granted.

4. With the above liberty, the appeal is dismissed as withdrawn.

5. Consequently, CLMAs Nos. 279 of 2006 and 280 of 2006 also stand dismissed as withdrawn.

(Rajesh Tandon, J.) **(Rajeev Gupta, C. J.)**
08.09.2006 08.09.2006

A